

C. DUKES SCOTT  
EXECUTIVE DIRECTOR

1401 Main Street, Suite 900  
Columbia, SC 29201



DAN EARNETT  
CHIEF OF STAFF

Phone: (803) 737-0800  
Fax: (803) 737-0801

jnelson@regstaff.sc.gov

*Jeffrey M. Nelson*  
*Counsel for ORS*

January 28, 2009

**VIA Electronic Filing**

Charles L.A. Terreni, Esquire  
Chief Clerk/Administrator  
South Carolina Public Service Commission  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

**Re: South Carolina Office of Regulatory Staff's Comments to the Commission's Proposed Revisions to 26 S.C. Code Ann. Regs. 103-181 and 103-220  
Docket No. 2008-442-T**

Dear Mr. Terreni:

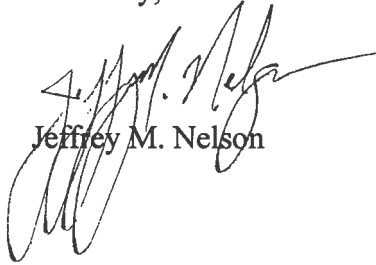
On December 11, 2008 the Public Service Commission of South Carolina ("the Commission") filed a Notice of Drafting regarding the Commission's proposed revisions to Commission Regulations 103-181 and 103-220. At that time, the Commission established January 30, 2009 as the deadline for public comments to be submitted to the Commission in this matter. The South Carolina Office of Regulatory Staff ("ORS") is appreciative of the opportunity to provide comments and to participate in the continued development of these regulations.

In response to the proposed Commission revisions, ORS respectfully provides the following comments regarding these two regulations:

1. ORS does not object to the Commission's proposal to delete Regulation 103-181. ORS agrees with the statement contained in the Notice of Drafting that this regulation is duplicative since Title 42 of the South Carolina Code governs the law of workers' compensation insurance in South Carolina.
2. As regards Regulation 103-220(d), the Notice of Drafting does not specify the change or clarification contemplated by the Commission. However, ORS interprets 103-220(d), as currently written, as requiring Lessees to carry insurance in their own name(s). This interpretation should therefore prohibit the currently approved practice of Lessee operators operating under the Lessor's insurance policy or self-insured certificate of such vehicle(s). ORS agrees that this regulation should be amended to clarify, for the Commission, ORS, and certificated carriers, which party in a leased vehicle arrangement is responsible for complying with the Commission's insurance coverage requirements.

Thank you for allowing ORS to put forth comments. We look forward to working with you during this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey M. Nelson", with a long horizontal flourish extending to the right.

Jeffrey M. Nelson

JMN/pjm